

U.S.A. vs

Bernardo Parra-Rubio (1); Juan Carlos
Aranjo-Parra (2); Miguel Garcia-Banuelos (3)

No.

08CR1631-JM

The Court finds excludable delay, under the section indicated by check (✓),

commenced on 6-13-08 and ended on 7-3-08; (XE)
7-3-08 and ended on 9-26-08. (X7, X7)

- 3161(h)
___ (1) (A) Exam or hrg for **mental or physical incapacity**
___ (1) (B) **NARA examination** (28:2902)
___ (1) (D) State or Federal trials or **other charges pending**
___ (1) (E) **Interlocutory appeals**
X (1) (F) **Pretrial motions** (from flg to hrg or other prompt dispo)
___ (1) (G) **Transfers from other district** (per FRCrP 20, 21 & 40)
___ (1) (J) **Proceedings under advisement** not to exceed thirty days
___ Misc proc: Parole or prob rev, deportation, **extradition**
___ (1) (H) **Transportation** from another district or to/from examination or hospitalization in ten days or less
X (1) (I) Consideration by Court of **proposed plea agreement**
___ (2) **Prosecution deferred** by mutual agreement
___ (3) (A) (B) **Unavailability of defendant or essential witness**
___ (4) Period of **mental or physical incompetence** of defendant to stand trial
___ (5) Period of **NARA commitment or treatment**
___ (6) **Superseding indictment and/or new charges**
___ (7) **Defendant awaiting trial of co-defendant** when no severance has been granted
___ (8) (A) (B) **Continuances** granted per (h) (8)-use "T" alone if more than one of the reasons below are given in support of continuance
___ (8) (B) (I) 1) Failure to grant a **continuance** in the proceeding would result in a **miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.
(Continuance - **miscarriage of justice**)
X 2) Failure to grant a **continuance** of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.
(Continuance - **tendered a guilty plea**)
___ (8) (B) (ii) 2) **Case unusual or complex**
___ (8) (B) (iii) 3) **Indictment** following arrest **cannot be filed** in thirty (30) days
___ (8) (B) (iv) 4) **Continuance** granted in order to obtain or substitute counsel, or give reasonable time to prepare
(Continuance **re counsel**)
___ 3161(I) Time up to **withdrawal of guilty plea**
___ 3161(b) **Grand jury indictment time extended** thirty (30) more days

Date 7-3-08

CAR
Judge's Initials

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